

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

CYRIL KOLOCOTRONIS ,

Plaintiff,

v.

DJ CUNNINGHAM, et al.,

Defendants.

Case No. C05-5160RJB

ORDER ON PETITIONER'S  
APPLICATION TO PROCEED IN  
FORMA PAUPERIS

This matter comes before the court on review of the Report and Recommendation of the Magistrate Judge, who recommended that plaintiff's application to proceed *in forma pauperis* be denied because plaintiff had failed to cure the deficiencies in his application. Dkt. 4. The court has reviewed the Report and Recommendation and the remainder of the file herein.

On March 18, 2005, the magistrate judge issue an Order to Show Cause, requiring plaintiff to provide legible and full financial information on a form that was sent to him with the Order to Show Cause. See Dkt 3. As of the date of the Report and Recommendation, plaintiff had not returned the completed form. On June 3, 2005, plaintiff filed the completed form. Dkt. 5. The court should decline to adopt the Report and Recommendation and re-refer this matter to the magistrate judge.

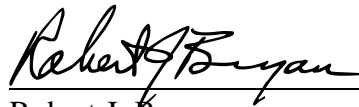
Therefore, it is hereby

**ORDERED** that the court **DECLINES TO ADOPT** the Report and Recommendation of the Magistrate Judge. This matter is **RE-REFERRED TO UNITED STATES MAGISTRATE**

1 **JUDGE KAREN L. STROMBOM** in accord with the original order of reference.

2 The Clerk is directed to send uncertified copies of this Order to all counsel of record and to  
3 any party appearing *pro se* at said party's last known address.

4 DATED this 13<sup>th</sup> day of June, 2005.

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6 Robert J. Bryan  
7 U.S. District Judge  
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